

Docket No.: 067336-0014



IFW

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 20277
Ichiro KAMIMURA, et al.	:	Confirmation Number: CNF NO. 8795
Application No.: 10/674,814	:	Group Art Unit: 3749
Filed: October 01, 2003	:	Examiner: S. Gravini
For: DRIER	:	

**STATEMENT OF THE SUBSTANCE OF THE  
TELEPHONIC INTERVIEW OF APRIL 5, 2005**

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following Remarks are submitted in response to the Office communication dated  
April 14, 2005.

**REMARKS**

In the Office Action dated April 14, 2005, the Examiner included an Interview Summary memorializing the April 5, 2005 telephonic interview. The Examiner required Applicants to file a statement in response to that Interview Summary, notwithstanding that Applicants have already submitted a Request for Continued Examination (RCE) on April 8, 2005 designating the previously submitted Amendment of February 11, 2005 as a submission.

Applicants confirm that a telephonic interview was conducted on April 5, 2005, during which Applicants expressed displeasure in the Examiner's refusal to enter into the record and to comment upon the arguments advanced in the November 12, 2004 response, particularly since the claims were not amended. Applicants' citation of case law, which the Examiner should have been aware of, does not appear to justify ignoring the arguments. Since the claims were not amended, the claims should either have been allowed or an explanation for their continued rejection should have been forth and made of record.

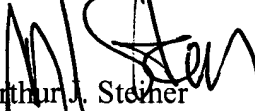
At any rate, to comply with the request to submit a statement of the substance of the interview, Applicants confirm their position that the Examiner's refusal to consider decisions of the Court of Appeals for the Federal Circuit, of which he should have been aware, is no justification for sitting pat.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

**Application No.: 10/674,814**

Respectfully submitted,

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**Date: April 25, 2005**

**Please recognize our Customer No. 20277  
as our correspondence address.**